



# Bureau of Justice Statistics Executive Summary

March 1998, NCJ-168628

## Compendium of Federal Justice Statistics, 1995

During 1995 more than 102,000 suspects were investigated by U.S. attorneys for possible violations of the U.S. code, and criminal charges were filed in U.S. district courts or before a U.S. magistrate against about 64,000 defendants, one-third of whom were prosecuted for drug offenses.

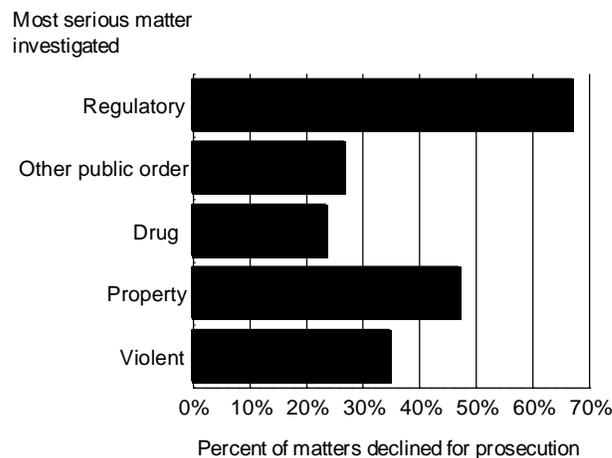
The majority (84%) of the 56,480 defendants whose cases were terminated in U.S. district courts during 1995 were convicted. Among those convicted, 67% were sentenced to prison for an average of 61 months. At the end of 1995, the Federal Bureau of Prisons held more than 88,650 prisoners who had been convicted of a Federal offense, an increase of 6% over 1994. Sixty percent of those held by the Bureau of Prisons were convicted and sentenced for drug offenses.

### Prosecution

During 1995 U.S. attorneys initiated criminal investigations against 102,220 suspects, and they concluded their investigations against 102,309 suspects. Of the suspects investigated, slightly more than 31% were investigated for each of property, drug, and public-order offenses, while the remaining 6% were investigated for violent offenses. Of the suspects in criminal matters concluded, U.S. attorneys prosecuted 55,703 in U.S. district courts (54% of all suspects in matters concluded) and declined to prosecute 35,896 suspects (35%), while U.S. magistrates disposed of another 10,710 suspects (11%).

Suspects in criminal matters involving drug or violent offenses were slightly more likely to be prosecuted in a U.S. district court (69% and 60% respectively) than were the suspects involved in public-order or property offenses (48% and 47% respectively). Suspects involved in property offenses such as fraud or regulatory public-order offenses were more likely to be declined for prosecution

### The most likely to be declined for prosecution are regulatory offenses; the least likely, drug offenses



Regulatory offenses include offenses against agricultural laws, antitrust, food and drug, transportation, civil rights, communications, customs, or postal laws, and other regulatory offenses.

(50% and 67% respectively) than were the suspects investigated for drug or violent offenses (24% and 35% respectively).

### Pretrial release

During 1995 about 58% of the 45,635 defendants who terminated pretrial services were released at some time prior to their criminal trial. Defendants charged with property offenses such as embezzlement, fraud, and forgery and those charged with regulatory public-order offenses or tax law violations were more likely to be released prior to trial (between 80% and 96% of these defendants were released) than were defendants charged with violent offenses, drug trafficking, weapons, or immigration

offenses (between 25% and 52% of these defendants were released).

Defendants having a prior criminal history of serious or violent crimes were less likely to be released than those without a prior criminal history, and as the extent of a defendant's criminal history increased, the likelihood of release decreased. Thirty-one percent of the defendants with prior violent felony conviction were released prior to trial, while 70% of the defendants with no prior convictions were released. Sixty-one percent of defendants with one prior conviction were released, as compared to 47% of defendants having 2 to 4 prior convictions and 33% of defendants having 5 or more prior convictions.

Of the defendants released prior to trial, about 84% of them completed their periods of release without violating the conditions of their release. Sixteen percent of defendants released violated the conditions of their release, and about 6% of defendants had their release revoked. Defendants charged with drug and violent offenses were more likely to have at least one violation of their conditions of release (26% and 21% respectively) and to have their release revoked (9% and 10% respectively) than were other defendants.

### Adjudication

Criminal charges were filed in U.S. district courts against 63,547 defendants during 1995, about 80% of whom were charged with felonies. Of the defendants charged with felonies, 40% were prosecuted for drug trafficking offenses, 27% for property offenses, 25% for public-order offenses, and 6% for violent offenses.

Criminal cases were concluded against 56,480 defendants during 1995, 79% of whom had been charged with felonies. Eighty-four percent (or 47,584) of all defendants were convicted; 81% of these were felony convictions.

Eighty-seven percent of defendants charged with felonies were convicted; this rate was about the same for all major offenses categories. For example, 89% of violent offenders, 87% of property offenders, 86% of drug offenders, and 87% of public-order offenders were convicted. Most felony convictions were obtained by guilty plea (91%).

Drug defendants comprised 40% of felony convictions; defendants charged with property and public-order offenses comprised 28% and 25%, respectively, of the felony convictions, and defendants charged with violent offenses comprised the remaining 7% of felony convictions.

### Sentencing

Of the 47,556 offenders sentenced during 1995, about 67% were incarcerated, another 27% were placed on probation (either alone or with some incarceration), and 7% were ordered to pay a fine.

About 91% of violent felony offenders and 91% of drug trafficking offenders received prison sentences, as did 79% of felony public-order offenders and 59% of felony property offenders.

The 31,805 offenders sentenced to prison received, on average, 61 months of imprisonment, while the 12,986 offenders sentenced to probation received, on average, 33 months of probation. Offenders sentenced for felony violent offenses and felony drug offenses received longer average prison terms (92 and 85 months, respectively) than those convicted of felony property and public-order offenses (26 and 51 months, respectively).

#### Average length of sentence imposed, by offense, October 1, 1994 - September 30, 1995

| Most serious offense of conviction | Average sentence length |
|------------------------------------|-------------------------|
| All offenses                       | 60.9 mo                 |
| Felonies                           | 64.5                    |
| Violent offenses                   | 92.3                    |
| Drug offenses                      | 26.4                    |
| Public-order offenses              | 85.4                    |
| Misdemeanors                       | 9.5                     |

### Appeals

During 1995 the U.S. Court of Appeals received 10,162 criminal appeals. Forty-four percent of the appeals filed challenged both the conviction and sentence imposed. Only four percent of appeals were filed by the Government. Of the 10,852 appeals terminated during 1995, 80% (or 8,684) were terminated on the merits. In 86% of the appeals terminated on the merits, the district court ruling was affirmed, at least in part.

## Corrections

A total of 18,144 offenders were serving terms of probation supervision that terminated during 1995. Most of these offenders (84%) completed their terms of probation successfully. About 14% of offenders violated their conditions of probation; 4% of probationers committed new crimes.

A total of 17,879 offenders completed terms of parole or supervised release during 1995. Sixty-one percent of these offenders successfully completed their terms without violating conditions of release; 12% committed new crimes; 24% committed technical violations.

Regardless of the type of supervision, offenders convicted of violent offenses were less likely than others to successfully complete a term of supervision.

At the end of 1995, there were 85,662 offenders under supervision. About 47% were under terms of supervised release; another 42% were on probation; and 11% were on parole. Drug offenders comprised 48% of offenders under terms of supervised release, 58% of offenders on parole, and 12% of offenders on probation. Property offenders comprised 40% of the offenders on probation, 29% of offenders serving terms of supervised release, and 13% of offenders on parole.

The Federal prison population increased by 4,787 offenders during 1995 to reach 88,658 persons in prison. During 1995, 32,566 prisoners were received by the Bureau of Prisons from U.S. district court commitments, and an additional 12,527 prisoners were returned to Federal prison for violating conditions of probation, parole, supervised release, or otherwise admitted to Federal prison but not committed from a U.S. district court.

During 1995, 27,127 prisoners were released for the first time from Federal prison after commitment from a U.S. district court. These "first releases" served, on average, 26.5 months before their release, or about 90% of the sentence imposed. Drug offenders served an average of 38 months before first release, while property offenders served an average of 16 months before first release.

An additional 13,179 prisoners were released from subsequent commitments to Federal prison.

Drug offenders — who comprised about 40% of persons admitted into Federal prison — comprised the largest percentage of persons in prison (60%) at the end of 1995.

### Distribution of admissions, releases, and prisoners at yearend, by offense, October 1, 1994 - September 30, 1995

| Most serious offense of conviction | All admissions | All releases | Population at yearend |
|------------------------------------|----------------|--------------|-----------------------|
| All offenses                       | 45,093         | 40,306       | 88,658                |
| Violent offenses                   | 9.6%           | 9.8%         | 12.9%                 |
| Property offenses                  | 21.2           | 23.9         | 8.8                   |
| Drug offenses                      | 39.1           | 38           | 59.5                  |
| Public-order offenses              | 28.9           | 27.3         | 17.7                  |

### Average time to first release, by offense, October 1, 1994 - September 30, 1995

| Most serious original offense of conviction | Mean time served |
|---------------------------------------------|------------------|
| All offenses                                | 26.5 mo          |
| Violent offenses                            | 51.9             |
| Property offenses                           | 15.7             |
| Drug offenses                               | 37.6             |
| Public-order offenses                       | 14.7             |